

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7203

BILL NUMBER: SB 300

DATE PREPARED: Feb 19, 2001

BILL AMENDED: Feb 19, 2001

SUBJECT: Recount of Precinct Committeeman Elections.

FISCAL ANALYST: Chris Baker

PHONE NUMBER: 232-9851

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) The bill provides that a candidate for precinct committeeman or state convention delegate is entitled to have a recount of the election conducted. The bill also provides that the political party of the candidate, in accordance with any applicable party rules, determines the winner of an election to a political party office.

Effective Date: July 1, 2001.

Explanation of State Expenditures:

Explanation of State Revenues: If a recount petition is filed, the State would collect 70% of the \$100 filing fee for a civil action filed in a county court and 50% of the fee if filed in a municipal court. Filing fees are deposited into the State General Fund.

Explanation of Local Expenditures: Precinct election boards may require additional expenditures for the recount of votes. All petitioners are required to file a surety bond of at least \$100 to completely cover the cost of a recount. Expenditures for a recount include the following: compensation of recount commissioners; compensation of additional employees required to conduct the recount, including overtime payments to regular employees who are eligible to receive such payments; and postage and telephone charges directly related to the recount.

As of 1998, there were 2,525 certified state convention delegates by the Secretary of State. It is estimated that approximately 11,060 precinct committee persons exist in Indiana.

Explanation of Local Revenues: If a recount petition is filed, the County would receive 27% of the filing fee for a civil action filed in a county court. Municipalities would receive the remaining 3% if they maintain a law enforcement agency that prosecutes at least 50% of its ordinance violations in a circuit, superior,

county, or municipal court or the County. If the petition were filed as a civil action in a municipal court, the county would receive 25% of the filing fee deposited into the county general fund, and the municipality would receive 25%.

State Agencies Affected:

Local Agencies Affected: Trial Courts; Precinct Election Officers.

Information Sources: Office of the Secretary of State.